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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,397	12/28/2001	Alan Ballard	PA1741US	2076
22830	7590	09/23/2005	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303				PITARO, RYAN F
ART UNIT		PAPER NUMBER		
		2174		

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/040,397	BALLARD ET AL.
	Examiner	Art Unit
	Ryan F. Pitaro	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on June 21 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 4-96 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 4-96 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Claims 4-96 have been examined.

Response to Amendment

2. This action is in response to the communication filed 6/21/2005. Claims 4-96 are pending. Claim 7 was amended. This action is made final.

The affidavit filed on 10/19/2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the ResQnet reference.

MPEP Section 705.03 states that:

The following parties may make an affidavit or declaration under 37 CFR 1.131:

(A) All the inventors of the subject matter claimed.
(B) An affidavit or declaration by less than all named inventors of an application is accepted where it is shown that less than all named inventors of an application invented the subject matter of the claim or claims under rejection. For example, one of two joint inventors is accepted where it is shown that one of the joint inventors is the sole inventor of the claim or claims under rejection.

(C) **> If a petition under 37 CFR 1.47 was granted or the application was accepted under 37 CFR 1.42 or 1.43, the affidavit or declaration may be signed by the 37 CFR 1.47 applicant or the legal representative, where appropriate.< .

(D) The assignee or other party in interest when it is not possible to produce

the affidavit or declaration of the inventor. *Ex parte Foster*, 1903 C.D. 213, 105 O.G. 261 (Comm'r Pat. 1903).

In this case, only one of the several Inventors, and not all of the Inventors made the affidavit with no explanation to why the rest of the Inventors did not make one.

Furthermore, in the interest of assisting the Applicant in the timely prosecution of this case the Examiner will point another problem with the affidavit.

The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the ResQnet reference.

MPEP Section 715.07 States -

However, when reviewing a 37 CFR 1.131 affidavit or declaration, the examiner must consider all of the evidence presented in its entirety, including the affidavits or declarations and all accompanying exhibits, records and "notes." An accompanying exhibit need not support all claimed limitations, provided that any missing limitation is supported by the declaration itself. *Ex parte Ovshinsky*, 10 USPQ2d 1075 (Bd. Pat. App. & Inter. 1989). The affidavit or declaration and exhibits must clearly explain which facts or data applicant is relying on to show completion of his or her invention prior to the particular date. Vague and general statements in broad terms about what the exhibits describe along with a general assertion that the exhibits describe a reduction to practice "amounts essentially to mere pleading, unsupported by proof or a showing of

facts" and, thus, does not satisfy the requirements of 37 CFR 1.131(b). *In re Borkowski*, 505 F.2d 713, 184 USPQ 29 (CCPA 1974). Applicant must give a clear explanation of the exhibits pointing out exactly what facts are established and relied on by applicant. 505 F.2d at 718-19, 184 USPQ at 33. See also *In re Harry*, 333 F.2d 920, 142 USPQ 164 (CCPA 1964) (Affidavit "asserts that facts exist but does not tell what they are or when they occurred.").

The declaration made by the applicant, "In view of Exhibit A, the invention of pending claims 13,14,17,18,20,22-35,42,44-47,49-52,63,68,70,72-76,79,80,82-85,87-91,93-96 were reduced to practice prior to January 26, 2001, amounts essentially to mere pleading, unsupported by proof or a showing of facts.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 4-12,53-57,59-62,64-67,69 are rejected under 35 U.S.C. 102(b) as being anticipate by D'Arlach et al ("D'Arlach", US 6,026,433).

As per independent claim 4, D'Arlach discloses a system for developing an application user interface, the system comprising: an integrated development

environment configured for a developer to specify a user interface element in the application user interface (Column 4 lines 59-67), the user interface element having a user customizable property (Column 4 lines 61-63), the application user interface being configured as an interface between an internet application and a user (Column 3 lines 64-67, Column 4 lines 1-10); an application designer configured to produce metadata characterizing the customizable property (Column 4 lines 61-63); and a data repository (Figure 2A item 155) including a data record associated with the customizable property (Column 4 lines 6-8), the data record being modifiable by a user of the internet application and accessible using the metadata (Col 5 lines 1-13).

As per claim 5, which is dependent on claim 4, D'Arlach discloses a system wherein a state of the user customizable property is configured to persist between a display of the application user interface and another display of the application user interface (Column 5 lines 20-25).

As per claim 6, which is dependent on claim 4, D'Arlach discloses an application server configured to support the internet application (Column 5 lines 26-32).

As per claim 7, which is dependent on claim 4, D'Arlach discloses a system wherein the integrated development environment is further configured to associate the user interface element with a procedure within the internet application (Column 6 lines 21-35), the procedure configured to receive data entered by the user in a field of the user interface element (Figure 12, wherein a link is specified in the element properties, which is configured to received input data from an input device).

As per claim 8, which is dependent on claim 4, D'Arlach discloses a system including means for generating the internet application interface (Column 5 lines 46-57).

As per independent claim 9, D'Arlach discloses a system for developing an application user interface, the system comprising: an integrated development environment configured for a developer to specify a user interface element in the application user interface (Column 4 lines 59-61), the user interface element having a user customizable property (Column 4 lines 61-63), the user customizable property being a response to a user input device (*inherent in order to change a property a user must have some input device*), the application user interface being an interface between a user and an internet application (Column 5 lines 1-13); a data repository including a data record configured to store a value characterizing the user customizable property (Column 5 lines 1-13), the value being user modifiable (Column 5 lines 66-67); and an application designer configured to produce metadata for accessing the data record (Column 4 lines 61-63).

As per claim 10, which is dependent on claim 9, D'Arlach discloses an internet application system configured to support the internet application (Column 5 lines 26-32).

As per claim 11, which is dependent on claim 9, D'Arlach discloses a system wherein a state of the user customizable property is configured to persist between a displaying of the application user interface and another displaying of the application user interface (Column 5 lines 20-25).

As per claim 12, which is dependent on claim 9, D'Arlach discloses a system wherein the customizable property is further responsive to an identity of the user (Column 10 lines 40-45,51-55).

As per independent claim 53, D'Arlach discloses a method of developing a user interface element, the method comprising the steps of: selecting a customizable property (Column 4 lines 59-64); including the customizable property in the user interface element (Column 4 lines 59-64); determining a data record for holding a value to characterize the customizable property (Column 5 lines 1-13), the data record being stored in a data repository (Column 5 lines 1-13) and being user modifiable (Column 5 lines 1-13) lines 65-67), the data repository being physically remote from a client used to display an HTML based application user interface (Column 5 lines 14-16); generating metadata further characterizing the customizable property, the metadata including a reference to the data record (Column 5 lines 14-16)); and storing the metadata in association with the user interface element, the user interface element being configurable for inclusion in the HTML based application user interface (Column 5 lines 47-57).

As per claim 54, which is dependent on claim 53, D'Arlach discloses a method wherein the application user interface is configured for accessing an internet application (Column 5 lines 26-32).

As per claim 55, which is dependent on claim 53, D'Arlach discloses a method wherein the step of determining a data record is responsive to the identity of a user (Column 10 lines 40-47).

As per claim 56, which is dependent on claim 53, D'Arlach discloses a method wherein the user modifiable data record is configured such that the value used to characterize the customizable property persists between a generation of the application user interface and another generation of the application user interface (Column 5 lines 20-25).

As per claim 57, which is dependent on claim 54, D'Arlach discloses a method wherein the customizable property includes a response to a user input device (*inherent in order to change a property a user must have some input device*).

As per independent claim 59, D'Arlach discloses a method of developing an application user interface associated with an internet application, the method comprising the steps of: selecting a user customizable user interface element associated with a data record (Column 4 lines 59-64), the data record being stored in a data repository and being user modifiable (Column 5 lines 1-13), the data repository being physically remote from a client used to display the application user interface (Column 5 lines 14-16); including the user customizable user interface element in the application user interface (Column 4 lines 59-64); generating metadata characterizing the user customizable user interface element, the metadata including a reference to the data record (Column 5 lines 14-16); and storing the metadata in association with the internet application, the internet application being configured for access using the application user interface (Column 5 lines 47-57).

As per claim 60, which is dependent on claim 59, D'Arlach discloses a method wherein the application user interface is generated responsive to the identity of a requestor (Column 3 lines 64-69, Column 4 lines 1-10).

As per claim 61, which is dependent on claim 59, D'Arlach discloses a method wherein the user modifiable data record is configured such that a value stored in the data record and used to characterize the customizable property persists between a generation of the application user interface and another generation of the application user interface (Column 5 lines 20-25).

As per claim 62, which is dependent on claim 59, D'Arlach discloses a method wherein a customizable property of the user customizable user interface element includes a response to a user input device (*inherent in order to change a property a user must have some input device*).

As per independent claim 64, D'Arlach discloses a method of generating an application user interface, the method comprising the steps of: accessing a page definition, the page definition including metadata for defining a user customizable property of the application user interface (Column lines 59-63) obtaining a reference to a user modifiable data record, using the metadata (Column 5 lines 14-16); accessing the user modifiable data record using the reference; the data record being stored in a data repository physically remote from a client used to display the customized application user interface (Column 5 lines 14-16); reading the data record to determine a value characterizing the user customizable property (Column 4 lines 59-64); generating markup-language responsive to the value (Column 5 lines 46-50); and

including the generated markup-language in the application user interface (Column 5 lines 46-52).

As per claim 65, which is dependent on claim 64, D'Arlach discloses a method wherein the application user interface is an interface to an internet application (Column 5 lines 26-32)

As per claim 66, which is dependent on claim 64, D'Arlach discloses a method including modifying the value using a configuration system (Figure 8).

As per claim 67, which is dependent on claim 64, D'Arlach discloses a method wherein the user customizable property is a response to a user input device (*inherent in order to change a property a user must have some input device*)

As per claim 69, which is dependent on claim 64, D'Arlach discloses a method wherein the application user interface is configurable for display using standard web browser protocols (Column 3 lines 64-69, Column 4 lines 1-10).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 13,14,17,18,20,22-35,37,42,44-47,49-52,63,68,70,72-76,79,80,82-85,87-91,93-96 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach et al ("D'Arlach", US 6,026,433) in view of ResQNet ("ResQNet", ResQNet.com Announces the Release of ResQNet Version 3.2).

As per independent claim 13, D'Arlach discloses a system for developing an internet application user interface, the system comprising an integrated development environment configured for specifying a user interface element in the internet application user interface (Column 4 lines 59-67), the integrated development environment including an application designer configured to produce metadata configured to characterize the customizable tab-order property (Column 4 lines 61-63). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16) Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per independent claim 14, D'Arlach discloses a system for developing an application user interface associated with an internet application comprising: an integrated development environment configured for a developer to specify a user interface element in the application user interface (Column 4 lines 59-67), the integrated development environment including an application designer configured to produce metadata to access a data record (Column 5 lines 14-25); and a data repository

including the data record for storing data characterizing the customizable tab-order property, the data being user modifiable (Column 5 lines 1-13). D'Arlach fails to disclose a customizable tab-order property, however ResQNet teaches the user interface element having a user customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 17, which is dependent on claim 16, D'Arlach discloses a system wherein the additional user interface element is a button (Column 4 lines 61-63).

As per claim 18, which is dependent on claim 16, D'Arlach discloses a system wherein the additional user interface element is an image (Column 4 lines 61-63).

As per claim 20, which is dependent on claim 14, D'Arlach discloses a system wherein the customizable tab-order property is configurable according to the identity of the user (Column 10 lines 40-50,51-55).

As per claim 22, which is dependent on claim 14, D'Arlach discloses a system wherein the metadata is configured to characterize the tab-over property of a specific application component (Column 5 lines 66-67).

As per claim 23, which is dependent on claim 14, D'Arlach discloses a system wherein the metadata includes a query for accessing the data record (Column 5 lines 14-25).

As per claim 24, which is dependent on claim 14, D'Arlach discloses a system wherein the data is user modifiable using a personalization system integrated into the internet application (Column 10 lines 40-50,51-55).

As per claim 25, which is dependent on claim 14, D'Arlach discloses a system wherein the data record includes a reference to an additional data record, the additional data record including additional data further characterizing the customizable tab-order property (Column 5 lines 1-13).

As per claim 26, which is dependent on claim 25, D'Arlach discloses a system wherein the additional data is user modifiable (Column 5 lines 66-67).

As per independent claim 27, D'Arlach discloses a customizable application system comprising: an internet application system configured to support an internet application (Column 5 lines 26-32); an application user interface including a user interface element (Column 4 lines 59-67), the application user interface configured as an interface between the internet application and a user (Column 3 lines 64-67, Column 4 lines 1-10), the user interface element configured for delivery to a client over a computer network (Column 3 lines 64-67); metadata characterizing the customizable tab-order property (Column 5 lines 1-13); and a data repository including a data record configured to store a value characterizing the customizable tab-order property (Column 5 lines 1-13), the value being user modifiable (Column 5 lines 66-67). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-

order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 28, which is dependent on claim 27, D'Arlach discloses an application system wherein the client is configured to display the application user interface using standard web browser protocols (Column 3 lines 64-67, Column 4 lines 1-3).

As per claim 29, which is dependent on claim 27, D'Arlach discloses a system wherein the client is configured to display the application user interface using features of a web browser, the features not requiring a browser add-on, plug-in, or extensions (Column 3 lines 64-67, Column 4 lines 1-3).

As per claim 30, which is dependent on claim 28, D'Arlach discloses a system including means for generating the application user interface using the metadata (Column 5 lines 26-32).

As per claim 31, which is dependent on claim 27, D'Arlach discloses a system wherein the data record includes additional metadata (Column 5 lines 1-8).

As per claim 32, which is dependent on claim 27 D'Arlach discloses a system wherein the data is user modifiable using a personalization system configured to modify the data record (Column 10 lines 40-46).

As per claim 33, which is dependent on claim 32, D'Arlach discloses a system wherein the data repository includes a user profile configured to store personalization generated using the personalization system (Column 10 lines 51-55).

As per independent claim 34, D'Arlach discloses an internet application system comprising: a user interface generator configured to generate a user interface including a user interface element (Column 4 lines 59-61), the user interface being compatible with a standard web browser (Column 3 lines 64-67, Column 4 lines 1-10) and being generated in response to a request from a user (Column 3 lines 64-67, Column 4 lines 1-10), a web application server configured to deliver the user interface to a client (Column 4 lines 3-10); and an internet application accessible to the user through the generated user interface (Column 4 lines 6-10). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 35, which is dependent on claim 34, D'Arlach discloses a system wherein the user interface generator is further configured to use metadata for characterizing the customizable tab-order property (Column 5 lines 1-10).

As per claim 37, which is dependent on claim 34, D'Arlach discloses an application system wherein the user interface generator is further configured to use

metadata for characterizing the tab-order property (Column 5 lines 1-10); the metadata including a reference to a data record, the data record including a user defined parameter (Column 5 lines 1-10).

As per claim 38, D'Arlach discloses a system wherein the user interface generator is configured to use a user modifiable data record for characterizing the tab-order property (Column 5 lines 34-46).

As per claim 39, which is dependent on claim 34, D'Arlach discloses a system wherein the internet application includes a configuration system configured to modify data characterizing the tab-order property (Column 5 lines 66-67).

As per claim 40, which is dependent on claim 34, Castro fails to disclose a wireless system. However, Official Notice is given that the use of a wireless system with a client is notoriously well known in the art; It would have been obvious to an artisan at the time of the invention to combine the wireless system to that of Castro in order to provide a wireless connection that would still provide the user interface application to the clients.

As per independent claim 41, D'Arlach discloses an internet application comprising: a computer program configured to run on an internet application system (Column 3 lines 64-67, Column 4 lines 1-10); an application user interface (Column 13 lines 62-65) the application user interface configured for delivery to a client (Column 4 lines 47-51) and to operate as an interface between a user and the internet application (Column 3 lines 64-67, Column 4 lines 1-10); a user modifiable data record stored in a location physically remote from the client (Column 5 lines 14-16), the data record

configurable for use by a user interface generator to generate the application user interface (Column 5 lines 3-8), and metadata configurable for use by the user interface generator to access the user modifiable data record (Column 5 lines 26-32). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so that the tab-order will make it more intuitive and easier to use.

As per claim 42, which is dependent on claim 41, D'Arlach discloses an internet application wherein the metadata includes a query (Column 5 lines 30-32).

As per claim 44, which is dependent on claim 41, Evans discloses an internet application wherein the data record is further configured such that generation of the application user interface is responsive to an identity of the user (Column 4 lines 31-35).

As per claim 45, which is dependent on claim 41, D'Arlach discloses an internet application wherein the data record is configurable using configuration interface (Column 4 lines 59-64).

As per independent claim 46, D'Arlach discloses an internet application interface between a user and an internet application (Column 3 lines 64-67, Column 4 lines 1-10), the application user interface including a user interface element (Column 4 lines 59-67), the application user interface further being generated using metadata (Column 4 lines

61-63) and being configured for display using a standard web browser (Column lines 3-10), the user interface element including the user customizable tab-order property (Column 5 lines 3-8). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 47, which is dependent on claim 46, D'Arlach discloses an application user interface wherein the value characterizing a user customizable tab-order property is dependent on an identity of a user of the application user interface (Column 10 lines 40-45, 51-55).

As per claim 49, which is dependent on claim 46, D'Arlach discloses an application user interface wherein the application user interface is a user profile interface (Column 10 lines 40-45, 51-55).

As per claim 50, which is dependent on claim 46, D'Arlach discloses an application user interface including means for displaying the application user interface (Column 4 lines 6-10).

As per independent claim 51, D'Arlach discloses a customizable application system comprising: an internet application system configured to support an internet application (Column 3 lines 64-67, Column 4 lines 1-10), the internet application

including metadata configured for generating an application user interface with a user interface element (Column 5 lines 30-32), the internet application system including, an application development system configured to generate the metadata, a configuration system including a configuration engine and a configuration interface, the configuration interface configured to modify the configuration data (Figure 8); a data repository including a data record for storing the configuration data, the data record being accessible using the metadata (Column 5 lines 1-3). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim independent 52, D'Arlach discloses a customizable application system comprising: an internet application system configured to support an internet application (Column 3 lines 64-67, Column 4 lines 1-10), the internet application associated with metadata configured for generating an application user interface including a plurality of user interface elements having a tab-order property, the internet application system including, an application server configured to generate the application user interface (Column 4 lines 14-20), and a web application server configured to deliver the application user interface to a client (Column 4 lines 21-24); a personalization system including a personalization engine and a user profile interface

(Column 10 lines 40-45,51-55), the personalization interface configured for modification of personalization data characterizing the tab-order properly such that the tab-order of the plurality of user interface elements is modified (Column 5 lines 3-8); and a data repository including a data record for storing the personalization data, the data record being accessible using the metadata (Column 5 lines 1-13). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 58, which is dependent on claim 53, D'Arlach fails to disclose a tab-order property. However, ResQNet teaches a method wherein the customizable property includes tab-order (page 1 lines 14-16).

As per claim 63, which is dependent on claim 59, D'Arlach fails to disclose a tab-order property. However, ResQNet teaches a method wherein a customizable property of the user customizable user interface element includes tab-order (page 1 lines 14-16).

As per claim 68, which is dependent on claim 64, D'Arlach fails to disclose a tab-order property. However, ResQNet teaches a method wherein the user customizable property is tab-order (page 1 lines 14-16).

As per independent claim 70, D'Arlach discloses a method of customizing tab-order in an HTML based application user interface, the method comprising the steps of:

accessing a configuration system the configuration system including a configuration engine and a configuration interface (Figure 8) selecting, using the configuration interface, a tab-order property of a user interface element in the HTML based application user interface (Column 6 lines 1-10), the tab-order property being user customizable; and specifying configuration data using the configuration interface, the configuration data characterizing the tab-order property (Column 13 lines 65-67) and the configuration data being stored in a data repository physically remote from a client (Column 4 lines 43-44) used to display the HTML based application user interface (Column 5 lines 14-16), the HTML based the application user interface being an interface between a user and an internet application (Column 3 lines 64-67, Column 4 lines 1-10). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 72, which is dependent on claim 70, D'Arlach discloses a method wherein the configuration data is configured such that a state of the HTML based application user interface persists between a generation of the HTML Based application user interface and another generation of the HTML based application user interface (Column 5 lines 20-25).

As per claim 73, which is dependent on claim 70, D'Arlach discloses a method including a step of modifying the configuration data using a personalization system (Column 10 lines 40-47,51-55).

As per claim 74, which is dependent on claim 70, D'Arlach discloses a method wherein the HTML based application user interface is displayed at the client without requiring a browser add-on, plug-in, or extension (Column 3 lines 64-69, Column 4 lines 1-10).

As per independent claim 75, Castro discloses a method of customizing tab order in an application user interface, the method comprising the steps of: accessing a configuration system, the configuration system including a configuration engine and a configuration interface (Figure 8) selecting, using the configuration interface, a tab-order property of a user interface element in the application user interface (Column 6 lines 1-10), the tab-order property being user customizable; specifying configuration data using the configuration interface, the configuration data characterizing the tab-order property (Column 5 lines 3-13) generating the application user interface using the specified configuration data, the application user interface being HTML based and being configured to access an internet application (Column 5 lines 45-56). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching.

Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 76, which is dependent on claim 75, D'Arlach discloses a method including displaying the application user interface using standard web browser protocols (Column 3 lines 64-69, Column 4 lines 1-10).

As per claim 79, which is dependent of claim 75, D'Arlach discloses a method wherein the step of generating the application user interface is responsive to an identity of a user (Column 10 lines 40-47,51-55).

As per independent claim 80, D'Arlach discloses a method of executing an internet application comprising the steps of: receiving a request for all application user interface from a client (Column 3 lines 64-69, Column 4 lines 1-10), the application user interface including a user interface element (Column 4 lines 59-64); accessing a page definition, the page definition including metadata and defining the requested application user interface (Column 4 lines 59-63); retrieving a value characterizing a user customizable tab-order property of the user interface element using the metadata, the value being stored in a data repository physically remote from the client (Column 5 lines 14-16) generating HTML responsive to the value (Column 5 lines 14-16); including the generated HTML in the application user interface (Column 5 lines 46-52); and delivering the application user interface to the client, the application user interface being an interface between a user and the internet application (Column 4 lines 36-41). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However,

ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching.

Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 82, which is dependent on claim 80, D'Arlach discloses a method wherein the value is personalization data (Column 10 lines 40-47, 51-55).

As per claim 83, which is dependent on claim 80, D'Arlach discloses a method including displaying the application user interface at the client using standard web browser protocols (Column 3 lines 64-67, Column 4 lines 1-10).

As per claim 84, which is dependent on claim 80, D'Arlach discloses a method wherein the step of generating the application user interface is responsive to an identity of a user (Column 10 lines 40-47, 51-55).

As per independent claim 85, D'Arlach discloses a method of generating an application user interface including a customizable tab-order property, the method comprising the steps of: accessing a page definition, the page definition including metadata characterizing the customizable tab-order property (Column 4 lines 59-63); reading a value from a data record using the metadata, the data record being stored in a data repository physically remote from a client used to display the application user interface (Column 5 lines 14-16) the value being user modifiable and further characterizing the customizable tab-order property (Column 5 lines 1-10); generating HTML responsive to the value (Column 5 lines 46-52); and including the HTML in the

application user interface (Column 5 lines 46-52), the application user interface being an interface to an internet application (Column 4 lines 36-41). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 87, which is dependent on claim 85, D'Arlach discloses a method wherein the data record includes configuration data (Column 4 lines 59-64).

As per claim 88, which is dependent on claim 85, D'Arlach discloses displaying the application user interface using standard web browser protocols (Column 3 lines 64-67, Column 4 lines 1-10).

As per claim 89, which is dependent on claim 85, D'Arlach discloses a method wherein the configuration data is configured such that a state of the customizable tab-order property persists between a generation of the application user interface and another generation application user interface (Column 5 lines 20-25).

As per claim 90, which is dependent on claim 85, D'Arlach discloses a method wherein the step of generating the application user interface is responsive to an identity of a user (Column 10 lines 40-45,51-55).

As per independent claim 91, D'Arlach discloses a method of generating an application user interface configured for delivery from a server to a client, the method

comprising the steps of: receiving, at the server, a request for the application user interface from the client (Column 3 lines 64-67, Column 4 lines 1-10), the application user interface including a user interface element (Figure 8); identifying the requester of the application user interface (Column 10 lines 40-45, 51-55); teaches accessing a page definition, the page definition including metadata and defining the application user interface (Column 5 lines 1-10) retrieving, using the metadata and the identity of the requester (Column 5 lines 66-67), a value relating to a user customizable tab-order property of the user interface element, the value being stored in a data repository physically remote from the client (Column 5 lines 14-16); generating HTML or Java script using the value (Column 5 lines 50-52); and including the HTML or Java script in the application user interface (Column 5 lines 50-52). D'Arlach fails to disclose a user interface element having a user customizable tab-order property, and metadata configured to characterize the customizable tab-order property. However, ResQNet teaches a system wherein the user interface element has a customizable tab-order property (Page 1 lines 14-16). Therefore it would have been obvious to an artisan at the time of the invention to combine D'Arlach system with ResQNet's teaching. Motivation to do so would be that so the tab-order will make it more intuitive and easier to use.

As per claim 93, which is dependent on claim 91, D'Arlach discloses a method including displaying the application user interface at the client using standard web browser protocols (Column 3 lines 64-67, Column 4 lines 1-10).

Claims 94,95,96 are similar in scope to that of claim 58 and are therefore rejected under similar rationale.

7. Claims 15,16, 36, 71, 77, 81, 86, 92 rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach et al ("D'Arlach", US 6,026,433) and ResQNet ("ResQNet", ResQNet.com Announces the Release of ResQNet Version 3.2) in view of Castro ("Castro", "HTML for the World Wide Web with XHTML and CSS:Visual QuickStart Guide, Fifth Edition").

As per claim 15, which is dependent on claim 14, D'Arlach-ResQNet fails to disclose a tab-over property. However, Castro teaches a system wherein the customizable tab-order property includes tab-over (Chapter 7, page 3 line 10-11). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of D'Arlach-ResQNet with the teaching of Castro. Motivation to do so would have been to allow users to skip over elements that they do not wish to visit.

As per claim 16, which is dependent on claim 15, D'Arlach-ResQNet fails to disclose a system where an additional element is susceptible to the use of tab-over. However, Castro teaches a system wherein the integrated development environment is further configured to specify an additional user interface element in the application user interface, the additional user interface element specifiable to be skipped in a tab-order (Chapter 7, page 3 line 10-11; *wherein any element is able to take a value in the tab-order specifiable by tabindex*).

Claims 36,71,77,81,86,92 are similar in scope to that of claim 15 and are therefore rejected under similar rationale.

8. Claims 19,48,78 rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach et al ("D'Arlach", US 6,026,433) and ResQNet ("ResQNet", ResQNet.com Announces the Release of ResQNet Version 3.2) in view of Carter et al ("Carter", US 6,549,199).

As per claim 19, which is dependent on claim 14, D'Arlach-ResQNet fails to disclose a tab-order property to a class of elements. However, Carter teaches a system wherein the customizable tab-order property is configurable according to a class of user interface elements (Column 3 lines 10-14). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of D'Arlach-ResQNet with the teaching of Carter. Motivation to do so would have been to easily customize an entire class of graphical user objects.

Claims 48 and 78 are similar in scope to that of claim 19 and are therefore rejected under similar rationale.

9. Claims 21 and 43 rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach et al ("D'Arlach", US 6,026,433) and ResQNet ("ResQNet", ResQNet.com Announces the Release of ResQNet Version 3.2) in view of Dutta et al ("Dutta" US 2002/0097264).

As per claim 21, which is dependent on claim 14, D'Arlach-ResQNet fails to teach a customizable interface by the identity of the client. However, Dutta teaches a system wherein the customizable tab-order property is configurable according to the identity of a client ([0020] lines 1-8). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of D'Arlach-ResQNet with the

teaching of Dutta. Motivation to do so would have been to easily recall profiles of users by eliminating a need for login by using the client's identity.

Claim 43 is similar in scope to that of claim 21 and is therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 6/21/2005 have been fully considered but they are not persuasive.

Applicants argue the following main points:

- a) D'Arlach does not teach a user interface element having a user customizable property, since D'Arlach does not teach a user, but a developer,
- b) D'Arlach does not inherently teach the user customizable property being a response to a user input device, and
- c) D'Arlach does not teach a customizable property further responsive to an identity of a user.

The Examiner respectfully disagrees for the following reasons:

Per a) The system of D'Arlach teaches a user developer site where a **user** can customize a site to his/her preferences (emphasis added). As pointed out in D'Arlach Column 4 lines 54-67,

According to the present embodiment, a Web site is created and edited based on a pre-built style template. In general, creating a Web site means creating a home page and a multitude of other pages for an entity or a person. These pages within the Web site are hypertextually linked.

The present embodiment provides and utilizes Web site style templates to enable users to create and maintain a Web site easily and efficiently. A style template contains customizable objects or elements: buttons (i.e., graphics), text labels, and other elements. Each element in turn has attributes or properties associated with it. For instance, a button or graphic element has the properties of a text field, a graphic, and a link. A text label element has text field and link properties associated with it.

This shows customizable elements by users, whether or not a user develops his/her own site he/she is still a user of the page. Each user has the ability create and maintain a Web site easily and efficiently. These are end-users of the system lacking the knowledge of a developer. To summarize, the user and the developer are one and the same.

Per b) The Examiner further points out Column 4 lines 54-67 for clarification purposes.

Per c) D'Arlach teaches changing of the site by owner, which is pointed out by the Examiner and the Applicant. By changing the site owner, it enables a user to create an entire Web site for a typical user at a client computer. Examiner further points to Figure 10, which shows element properties for a specific user.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday and on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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